

September 20, 2022

The Honorable Himamauli Das
Acting Director
Financial Crimes Enforcement Network
1500 Pennsylvania Ave. NW
Washington, D.C. 20220

Dear Acting Director Das:

I'm writing in regard to recent changes to the Merchant Category Code (MCC) for firearms sellers. Recently, the International Standards Organization (ISO) announced that a new MCC would be created for purchases made at gun and ammunition retailers. As you are aware, prior to the change, firearm retailers were classified as either 5999: Miscellaneous retail stores, or 5941: Sporting Goods Store.

To better understand how this change will impact law enforcement's current authorities, I am seeking additional information from FinCEN. Specifically, I would like to know how FinCEN currently uses MCC codes and how FinCEN plans to leverage the new data from the firearm retailer MCC. This information should specify:

1. How does FinCEN use MCC codes to assist law enforcement?
2. How often are MCC codes added to Suspicious Activity Reports (SARS)?
3. How will FinCEN use this new MCC code to assist law enforcement investigations?
4. If the new firearms retailer MCC is included in a Suspicious Activity Report, how will FinCEN protect the highly sensitive personally identifiable information?
5. How many SARs filed in 2021-2022 included the term "MCC", "Merchant Category Code", or "MCC 5941"?
6. How many SARs filed in 2021 – 2022 include the term "MCC", "Merchant Category Code", "MCC 5941" AND the term "gun", "gun shop" or "firearm"?

I appreciate your prompt attention to this request. Please respond no later than October 1, 2022. If you have any questions, please do not hesitate to contact Phil Poe, Professional Staff at (202) 225-7502.

Sincerely,



Patrick McHenry
Ranking Member
Committee on Financial Services

cc: The Honorable Maxine Waters, Chairwoman
Committee on Financial Service